

EXHIBIT P

In the Matter Of:

UNITED STATES vs STATE OF GEORGIA

1:16-cv-03088-ELR

WINA LOW

February 28, 2023



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1 them. Some have a senior program manager in
2 between.

3 Do you want me to actually count up?

4 Q I think I'm going to show you something in
5 a moment and we can go through it that way.

6 But you have 10 program offices that are
7 under you?

8 A I have 10 program managers and/or senior
9 program managers. Two senior program managers. So
10 eight program managers.

11 Of course, I have an administrative
12 assistant.

13 Q So two senior program managers, eight
14 program managers, and one administrative assistant?

15 A Uh-hum. (Affirmative.)

16 Q I'm going to show you what was previously
17 marked as Plaintiff's Exhibit 697.

18 (WHEREUPON, Plaintiff's Exhibit-697 was
19 marked for identification.)

20 BY MS. TUCKER:

21 Q Ms. Low, this is an email dated October 9,
22 2020, from Matt Jones to Matt Jones, with the
23 subject: "Announcements."

24 The Bates number on the bottom of the
25 first page reads GA01852181, and this document was

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1 produced to us by the State and there's one
2 attachment.

3 Do you recognize this email?

4 A I would have been copied on it.

5 Q Let's turn to the attachment, so the
6 second page, with Bates No. GA01852182 on the
7 bottom.

8 Do you recognize this chart?

9 A To be honest with you, I can't really read
10 the fine print here. I have my contacts in, but it
11 is very small.

12 Q Okay.

13 A Do you have something to magnify it?

14 Q Maybe we can show it electronically.

15 MS. TUCKER: One second.

16 It's loading for me and then I'll share my
17 screen with you.

18 (Discussion ensued off the record.)

19 MS. TUCKER: I want her to be able to
20 control and zoom in if she needs to.

21 So I'm going to share it.

22 Are you able to give her control?

23 THE VIDEOGRAPHER: You want to go off the
24 record for a second while we set this up?

25 MS. TUCKER: Yes. Thank you.

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1 THE VIDEOGRAPHER: Going off the record at
2 9:27.

3 (Discussion ensued off the record.)

4 THE VIDEOGRAPHER: We're back on the
5 record at 9:28.

6 BY MS. TUCKER:

7 Q Ms. Low, you now have on the screen in
8 front of you the attachment, which is GA01852182.

9 Do you recognize this Georgia Department
10 of Education organizational chart?

11 A I do.

12 Q At the bottom it reads that it was
13 effective October 9th, 2020.

14 Do you see that?

15 A Yes.

16 Q And I'm looking at the third row. Do you
17 see a box on the left that reads "Federal Programs"?

18 A Yes.

19 Q And underneath that, it says "ESSA
20 Programs" and "Special Education Services and
21 Supports"?

22 A Uh-hum. (Affirmative.)

23 Q And are the ESSA programs the title
24 programs you were speaking to earlier?

25 A Yes, they are.

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1 Q And over to the right is the Special
2 Education Services and Supports. Do you refer to
3 this as a division or an office?

4 A Division.

5 Q Division. Thank you.

6 And then looking underneath Special
7 Education Services and Supports, I see eleven
8 sub-bullets.

9 A Okay.

10 Q I'm going to go over those now.
11 Do you see the start of the sub-bullets?

12 A You're talking about Budgets and Grants?

13 Q Yes, ma'am.

14 So do you see "Budgets and Grants"?

15 A I did.

16 Q Do you see "Results Driven
17 Accountability"?

18 A Yes.

19 Q "Discretionary Projects"?

20 A Yes.

21 Q "Post-school Outcomes and Professional
22 Learning"?

23 A Uh-hum. (Affirmative.)

24 Q "Family Engagement"?

25 A Yes.

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1 Q "Dispute Resolution"?

2 A Uh-hum. (Affirmative.)

3 Q The sixth one is "Data and Georgia Online
4 IEP" and then "GO-IEP" in parenthesis?

5 A Uh-hum. (Affirmative.)

6 Q The seventh is "Georgia Network for
7 Educational and Therapeutic Support," in parenthesis
8 "GNETS"?

9 A Yes.

10 Q The eighth is "Tiered Systems of Supports
11 for Students," parenthesis, "MTSS"?

12 A Yes.

13 Q The ninth is "Georgia Learning Resources
14 System," in parenthesis "GLRS"?

15 A Yes.

16 Q The tenth is "State Systemic Improvement
17 Plan," in parenthesis "SSIP"?

18 A Yes.

19 Q And the eleventh, the "Georgia
20 Instructional Materials Center," "GIMC," in
21 parenthesis?

22 A Yes.

23 Q Are these eleven sub-bullets eleven
24 separate offices within your division?

25 A No. There are major pieces of work. You

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1 know, some are, as we call them, units. The office
2 of Federal Programs is a division of Special
3 Education, and then we have units that work, but
4 there has never been a separate unit for Systemic
5 Improvement. It's always been part of another one.

6 Q Are these same eleven units in existence
7 today?

8 A Budget and Grants, RDA, Results Driven
9 Accountability. We don't have a unit called State
10 Initiatives and Discretionary Projects. I mean that
11 reference is really the funding mechanism there. We
12 certainly have work going on in that area but we
13 don't have a unit called that.

14 Post-school Outcomes and Professional
15 Learning, that work continues, it's just under a
16 different name, Outreach now. Outreach and Family
17 Engagement.

18 Q Okay. And then going further, are they
19 all the same?

20 A Dispute Resolution, so Family Engagement
21 moved with Outreach rather than being with Dispute.

22 We still have Data and GO-IEP.

23 GNETS, we have a program manager.

24 And the MTSS unit is not with us any
25 longer. It moved to the Office of Whole Child.

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1 everybody, so not GNETS specific.

2 Q And when did that capacity building grant,
3 when did that come out?

4 A Friday, last Friday.

5 Q So very recent?

6 A Very.

7 MS. TUCKER: I think now is potentially a
8 good time to break.

9 We'll go off the record.

10 THE VIDEOGRAPHER: Going Off the record at
11 12:36.

12 (A recess was taken.)

13 THE VIDEOGRAPHER: We're back on the
14 record at 1:32.

15 BY MS. TUCKER:

16 Q Welcome back, Ms. Low.

17 I wanted to follow up on two items we
18 discussed prior to lunch.

19 First is earlier you said there was a
20 lower than desirable rate of student reintegration
21 from the GNETS program back to their home schools?

22 A I do.

23 Q Have you identified the reasons for the
24 lower than desirable rate for reintegration?

25 A Not at this point. I mean clearly this

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1 has been something I've been aware of as a local
2 director as well. There are several things that I
3 feel that we can do to increase that, but number one
4 is offering a full continuum in all of our schools,
5 but, no, that's just something that we always want
6 to change.

7 Q And you just said that there's several
8 things that you could do to increase the
9 reintegration rate, that GaDOE could do. What would
10 those be?

11 MR. BEDARD: Object to form.

12 A I don't know that it's the Georgia
13 Department of Education, but local agencies, you
14 know, run their programs and make these changes, but
15 certainly as a department we will continue to
16 reinforce the expectations and try to provide
17 supports in place. Preventive measures, especially.

18 Q What type of preventative measures?

19 A Additional professional learning in
20 behavior management, functional behavior assessment,
21 behavior intervention plans. Those types of things.
22 The whole array.

23 Q Thank you. And I asked if you had
24 identified the reasons for the lower than desirable
25 rates for student reintegration and you said not

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1 said, what the investigator found. And we go
2 through the whole laundry list. Sometimes our
3 resolution letters are very, very long.

4 And then we come to a conclusion about
5 each allegation and state whether it was in
6 compliance or wasn't in compliance. And then of
7 course we have recommendations for things that have
8 to occur to have corrective action.

9 Q And those are GaDOE's findings and GaDOE's
10 recommendations and corrective actions?

11 A Yes, in the formal complaint process.

12 Q Thank you.

13 When did you first become familiar with
14 the GNETS program?

15 A I would say when I was an educational
16 diagnostician in Carroll County schools.

17 Q And when was that again, approximately?

18 A January, February '90 till -- through June
19 30th of 1997.

20 Q Please describe the GNETS program for me.

21 A The GNETS program as the State network or
22 --

23 Q Yes, the State network?

24 A It is on the continuum of services. It's
25 a shared services, regionally-based program, which

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1 could be center-based or school-based, for children
2 with emotional/behavioral disorders.

3 We used to call it severe emotional
4 behavioral disorders, but it's really intended for
5 having an emotional basis, not just a behavioral
6 basis.

7 You know, a professor at the University of
8 Georgia started the concept. It was a half-day
9 program for a long, long time. Services came to the
10 student. And consulted with staff and over time it
11 evolved.

12 When I first knew the program, it was
13 already some separate centers and some school-based
14 programs. It's for children with very intense
15 behavior. Very, very intense emotional concerns,
16 and sometimes they do of course have outward
17 behaviors, too.

18 That's the intent. And of course if they
19 could receive therapeutic services and even
20 psychiatric consultation, things like that, and then
21 return to their home school setting.

22 It wasn't intended to be a place to stay
23 forever.

24 Q Do you see students spending their
25 academic careers in GNETS?

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1 A I don't have specifics on that, but I have
2 known of some students that stayed the rest of their
3 academic career. A lot of times parents have
4 requested that as well.

5 Q Does that concern you?

6 MR. BEDARD: Object to form.

7 A It does concern me that the parents are
8 frustrated, too. And it's less likely they receive
9 so many phone calls, but, you know, that's more
10 anecdotal.

11 Q Does it concern you that some students
12 have stayed in GNETS for their entire academic
13 career?

14 A It always concerns me, but if it's the
15 right individual decision for the student and that's
16 where they can meet their goals, then it may be the
17 right place to be and to stay.

18 You know, I can't second-guess an IEP
19 decision when you have the people that are the
20 stakeholders and required members of that.

21 Q A moment ago you said that GNETS was for
22 children with emotional and behavioral disorders.
23 You said it used to be severe but that's --

24 A That's just a term we used to use. We
25 used to say SEBD, but that was dropped a number of